

SENATE BILL 983  
By Bryson

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 7; Title 49, Chapter 8 and Title 49,  
Chapter 9, relative to higher education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

**§ 49-7-135.**

(a) There is hereby created an independent commission to study the structure and governance of public higher education in Tennessee and its impact upon programmatic quality, effectiveness, efficiency and accessibility.

(b) The commission shall be composed of nineteen (19) members as follows:

(1) A chair who shall be appointed by the governor and who shall not be an employee or contractor of the state or any public institution of higher education nor of any entity specified within this section;

(2) The comptroller of the treasury, or the comptroller's designee;

(3) The commissioner of finance and administration, or the commissioner's designee;

(4) The commissioner of economic and community development, or the commissioner's designee;

(5) Three (3) state senators, one (1) from each grand division, who shall be appointed by the speaker of the senate;

(6) Three (3) state representatives, one (1) from each grand division, who shall be appointed by the speaker of the house of representatives;

(7) Three (3) representatives of Tennessee's business community, one (1) from each grand division, who shall be appointed by the governor following consultation with the Tennessee chamber of commerce and industry and the Tennessee chapter of the national federation of independent business;

(8) One (1) representative of Tennessee's agricultural community who shall be appointed by the governor following consultation with the Tennessee farm bureau;

(9) One (1) member representative of the various chambers of commerce, who shall be appointed by the governor following review of a list of four (4) nominees: one (1) of whom shall be submitted by the Knoxville Chamber of Commerce, one (1) of whom shall be submitted by the Chattanooga Chamber of Commerce, one (1) of whom shall be submitted by the Nashville Chamber of Commerce and one (1) of whom shall be submitted by the Memphis Chamber of Commerce; and

(10) Four (4) citizen members, at one (1) from each grand division, who shall be appointed by the governor and at least one (1) of whom shall be female and at least one (1) other of whom shall be African American and none of whom may be an employee or contractor of the state or any public institution of higher education nor of any entity specified within this section.

(c) If a vacancy occurs in commission membership for any reason, then the vacancy shall be filled in the same manner as the initial appointment.

(d) The commission is authorized to employ such staff, as it deems necessary, subject to the availability of funding specifically appropriated for such purpose. The commission may also call upon other state and local governmental agencies and entities for other assistance, including, but not limited to, the Tennessee higher education

commission, the board of trustees of the university of Tennessee system, and the board of regents of the state university and community college system.

(e) The commission shall perform a comprehensive examination and evaluation of the current structure and governance of public higher education in Tennessee and its impact upon educational quality, effectiveness, efficiency and accessibility. Additionally, the commission shall study alternative models for structuring and governing public higher education and shall thoroughly evaluate each such model's potential for achieving improved levels of educational quality, effectiveness, efficiency and accessibility.

(f) The commission shall report its final findings, recommendations and any proposed legislation to the chief clerk of the senate and the chief clerk of the house of representatives on or before January 15, 2007. On or before June 30, 2007, the commission shall adjourn sine die, at which time the commission shall terminate and cease to exist.

(g) When performing duties of the commission, members shall be paid the same expense and mileage allowances as are provided for legislators attending to the business of the general assembly, pursuant to the provisions of § 3-1-106(b) through (d); provided, however, in lieu of such allowances, the comptroller of the treasury, the commissioner of finance and administration or the commissioner of economic and community development, or their respective designees, shall be paid for expenses in accordance with the state's comprehensive travel regulations.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.